

### REMARKS/ARGUMENTS

The title, specification, and claims have been amended. Claim 26 has been revised to characterize the organic compound as a saturated or unsaturated fatty acid based upon the disclosure in the specification bridging pages 44 and 45. A new Claim 47 has been added reciting a Markush group of those acids and new Claims 48-55 have been added based upon claims appearing in copending application no. 10/827,376. The claims before the Examiner thus are Claims 26, 27, and 47-55.

The specification has been amended as requested.

The provisional rejection of Claims 26 and 27 for obviousness-type double patenting over Claims 26 and 51-60 of copending application no. 10/827,376, if applied to the claims as amended, is respectfully traversed.

As mentioned previously, the independent claim has been revised to state that the organic compound in the claimed coating liquid is a saturated or unsaturated fatty acid. The claims of the copending application call for different materials being used as organic compounds and the rejection should be withdrawn.

The rejection of Claim 26 under 35 U.S.C. §102 as anticipated by Nakao et al. '288 if applied to the claims as amended, is also respectfully traversed. The Examiner states in the Office Action that the reference "discloses an electrophotographic photoreceptor with a layer comprising a polymer having an acid value of 10-100 (organic compound)." Claim 26 now specifies that the organic compound is a saturated or unsaturated fatty acid. The claimed organic compound patentably distinguishes over what is disclosed in the reference and the rejection should be withdrawn.

The rejection of Claim 26 under 35 U.S.C. §102 as anticipated by Patzschke et al. '020, if applied to the claim as amended, is also respectfully traversed. The Examiner mentions in the Office Action that the coating material in the reference includes "organic

additives such as polyacrylate copolymers with an acid number of 60 to 780.” As noted above, the claim has been restricted to an organic compound that is a saturated or unsaturated fatty acid and the claim patentably distinguishes thereover.

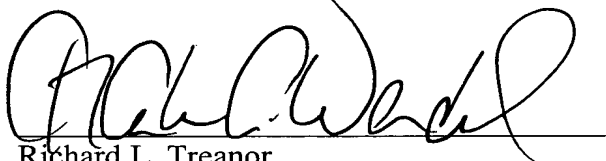
The rejection of Claim 27 under 35 U.S.C. §102 or 35 U.S.C. §103 over Nakao et al. ‘288 or Patzschke et al. ‘020 and the rejection of Claim 27 under 35 U.S.C. §103 as unpatentable over Nakao et al. ‘288 further in view of Aizawa ‘843 are respectfully traversed. As indicated above Claim 26 from which Claim 27 depends has been revised to call for an organic compound different from those shown in the references and the rejection should be withdrawn as well.

The Examiner is thanked for acknowledging that certified copies of the priority document were filed in an earlier application for listing the related cases and for listing references submitted with an Information Disclosure Statement.

Reconsideration of the application is earnestly solicited.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,  
MAIER & NEUSTADT, P.C.



Richard L. Treanor  
Attorney of Record  
Registration No. 36,379

Charles A. Wendel  
Registration No. 24,453

Customer Number  
**22850**

Tel: (703) 413-3000  
Fax: (703) 413 -2220  
(OSMMN 06/04)